

Todd L. Bice, Esq., Bar No. 4534
TLB@pisanellibice.com
 Emily A. Buchwald, Esq., Bar No. 13442
EAB@pisanellibice.com
 PISANELLI BICE PLLC
 400 South 7th Street, Suite 300
 Las Vegas, Nevada 89101
 Telephone: 702.214.2100

Michael Lyle (*pro hac vice* forthcoming)
mikelyle@quinnemanuel.com
 Jonathan Cooper (*pro hac vice* forthcoming)
jonathancooper@quinnemanuel.com
 QUINN EMANUEL URQUHART & SULLIVAN LLP
 1300 I St., NW, Suite 900
 Washington, DC 20005
 Telephone: 202.538.8000

*Attorneys for Defendants Evernorth Health, Inc., Express
 Scripts, Inc., Express Scripts Administrators, LLC,
 ESI Mail Pharmacy Service, Inc., Express Scripts
 Pharmacy, Inc., Express Scripts Specialty Distribution
 Services, Inc., and Medco Health Solutions, Inc.*

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

STATE OF NEVADA,

Plaintiff,

vs.

OPTUM, INC.; OPTUMRX, INC.;
 OPTUMINSIGHT LIFE SCIENCES, INC.;
 OPTUMINSIGHT, INC.; UNITEDHEALTH
 GROUP, INC.; THE LEWIN GROUP, INC.;
 EVERNORTH HEALTH, INC.; EXPRESS
 SCRIPTS, INC.; EXPRESS SCRIPTS
 ADMINISTRATORS, LLC; ESI MAIL
 PHARMACY SERVICE, INC.; EXPRESS
 SCRIPTS PHARMACY, INC.; EXPRESS
 SCRIPTS SPECIALTY DISTRIBUTION
 SERVICES, INC.; MEDCO HEALTH
 SOLUTIONS, INC. ELEVANCE HEALTH,
 INC.; CARELONRX, INC.; CARELON
 INSIGHTS, INC.; DOE ENTITIES 1-10,

Defendants.

CASE NO. 2:24-cv-00493-RFB-DJA

**STIPULATION REGARDING
 DEFENDANTS' DEADLINE TO
 RESPOND TO COMPLAINT AND
 MOTION TO DISMISS BRIEFING
 SCHEDULE
 (First Request)**

///

PISANELLIBICE PLLC
 400 SOUTH 7TH STREET, SUITE 300
 LAS VEGAS, NEVADA 89101

1 Plaintiff the State of Nevada (the “State”) and Defendants Optum, Inc., OptumRx, Inc.,
2 OptumInsight Life Sciences, Inc., OptumInsight, Inc., UnitedHealth Group, Inc., The Lewin Group,
3 Inc., Evernorth Health, Inc., Express Scripts, Inc., Express Scripts Administrators, LLC, ESI Mail
4 Pharmacy Service, Inc., Express Scripts Pharmacy, Inc., Express Scripts Specialty Distribution
5 Services, Inc., Medco Health Solutions, Inc., Elevance Health, Inc., CarelonRx, Inc., and Carelon
6 Insights, Inc. (“Defendants”) hereby stipulate and agree, through their respective counsel, and
7 subject to approval by the Court, as follows:

8 The State filed the complaint in this action in the District Court for Clark County, Nevada,
9 on January 26, 2024, and served Defendants on February 13, 2024. On March 5, 2024, the state
10 court so-ordered the parties’ stipulation extending Defendants’ deadline to respond to the complaint
11 to May 6, 2024 and providing that the State has until June 20, 2024, to file oppositions to any
12 motions to dismiss and that Defendants have until July 22, 2024, to file any replies. Dkt. 1-1 at 85.

13 On March 12, 2024, Defendants removed the case to this Court. Dkt. 1. On March 15, 2024,
14 the State moved to remand the case to state court. Dkt. 8. The parties stipulate and agree that
15 Defendants’ deadline to respond to the complaint is stayed pending the Court’s ruling on the State’s
16 Motion to Remand. Once the Court makes a determination on the State’s pending motion,
17 Defendants’ deadline to respond to the complaint will be 60 days after entry of the Court’s order
18 on the Motion to Remand. The parties further stipulate that the State’s oppositions to any motions
19 to dismiss are due 45 days after such motion(s) are filed; and Defendants’ replies in support of their
20 motion(s) are due 30 days after the State files its opposition(s). This is the first stipulation for
21 extension of time for these deadlines in this Court. The parties respectfully submit that good cause
22 exists to enter the above stipulated briefing schedule in light of the scope and complexity of the
23 issues at hand.

24 The parties further stipulate and agree that Defendants do not waive and expressly preserve
25 all defenses, including jurisdictional defenses.

26 Respectfully submitted,

27 DATED this 29th day of March 2024.
28

EGLET ADAMS EGLET HAM HENRIOD

PISANELLI BICE PLLC

By: /s/ Robert M. Adams
Robert T. Eglet
Robert M. Adams
Cassandra S.M. Cummings
400 S. Seventh St., Suite 400
Las Vegas, NV 89101

By: /s/ Emily A. Buchwald
Todd L. Bice, Esq., Bar No. 4534
Emily A. Buchwald, Esq., Bar No. 13442
400 South 7th Street, Suite 300
Las Vegas, Nevada 89101

Aaron D. Ford
Ernest Figueroa
Mark J. Krueger
STATE OF NEVADA, OFFICE OF THE
ATTORNEY GENERAL,
BUREAU OF CONSUMER PROTECTION
100 North Carson Street
Carson City, NV 89701-4717
*Attorneys for Plaintiff
State of Nevada*

Michael Lyle (*pro hac vice* forthcoming)
Jonathan Cooper (*pro hac vice* forthcoming)
QUINN EMANUEL URQUHART &
SULLIVAN LLP
1300 I St., NW, Suite 900
Washington, DC 20005
*Attorneys for Defendants Evernorth Health, Inc.,
Express Scripts, Inc., Express Scripts
Administrators, LLC, ESI Mail Pharmacy
Service, Inc., Express Scripts Pharmacy, Inc.,
Express Scripts Specialty Distribution Services,
Inc., and Medco Health Solutions, Inc.*

WEINBERG, WHEELER, HUDGINS,
GUNN & DIAL, LLC

McDONALD CARANO, LLP

By: /s/ Ryan T. Gormley
Stephen W. Mooney
Ryan T. Gormley
6385 South Rainbow Blvd., Suite 400
Las Vegas, NV 89118

By: /s/ Pat Lundvall
Pat Lundvall
2300 West Sahara Avenue, Suite 1200
Las Vegas, NV 89102

*Attorneys for Defendants Optum, Inc.,
OptumRx, Inc., OptumInsight Life Sciences,
Inc., OptumInsight, Inc., UnitedHealth
Group, Inc., and The Lewin Group, Inc.*

Dell P. Chappell (*pro hac vice* forthcoming)
NELSON MULLINS RILEY &
SCARBOROUGH LLP
1320 Main Street, 17th Floor
Columbia, SC 29201

Marc E. Williams (*pro hac vice* forthcoming)
NELSON MULLINS RILEY &
SCARBOROUGH LLP
949 Third Avenue, Suite 200
Huntington, WV 25701

*Attorneys for Defendants Elevance Health, Inc.;
CarelonRx, Inc. and Carelon Insights, Inc.*

IT IS SO ORDERED.


UNITED STATES MAGISTRATE JUDGE
DATED 4/25/2024